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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,599	07/01/2003	David Michael Miller	MS1-1527US	6158
22801	7590	03/01/2007		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER OSMAN, RAMY M	
			ART UNIT	PAPER NUMBER
			2157	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/01/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/01/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com



## Office Action Summary

Application No.

10/611,599

Applicant(s)

MILLER ET AL

Examiner

Ramy M. Osman

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |



## **DETAILED ACTION**

### ***Status of Claims***

1. This action is responsive to application filed on July 1, 2003. Preliminary amendment filed 10/20/2003 is acknowledged. Claims 1-22 are pending examination.

### ***Drawings***

2. The drawings filed on 7/1/2003 are acknowledged. These drawings are acceptable.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 5, "returning" is an incomplete thought since the context of returning is not clear. An original action must be tied to the "returning", otherwise the claim is incomplete.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.



**6. Claims 1-22 rejected under 35 U.S.C. 102(e) as being anticipated by Waters (US Patent No 6,535,867).**

7. In reference to claim 1, Waters teaches a method for communicating object data comprising:

generating a hash value based on object data representing a user of a local computer (column 7 lines 44-53);

storing the object data at a storage location (column 8 lines 18-30); and

returning an object name having the hash value and a location identifier identifying the storage location, the object name enabling a user of a remote computer to access the object data (column 8 lines 18-30).

8. In reference to claim 2, Waters teaches a method as recited in claim 1 further comprising: receiving a request for the object data, the request including the object name; and retrieving the object data from a local cache based on the hash value (column 8 lines 18-30).

9. In reference to claim 3, Waters teaches a method as recited in claim 1 further comprising: receiving a request for the object data, the request including the object name; and in response to receiving the request, retrieving the object data from the location using the location identifier (column 8 lines 18-30).

10. In reference to claim 4, Waters teaches a method as recited in claim 1 further comprising: receiving a request for the object data, the request including the object name (column 8 lines 18-30); and determining whether the requested object data is in a local cache based on the hash value; and if the requested object data is in the local cache, retrieving the



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object data from the local cache, otherwise, retrieving the requested object data from the location identified by the location identifier (column 8 lines 18-30).

11. In reference to claim 5, Waters teaches a method as recited in claim 4 wherein the retrieving the requested object data from the location identified by the location identifier comprises: retrieving the requested object data from network storage (column 7 lines 54-67).

12. In reference to claim 6, Waters teaches a method as recited in claim 4 wherein the retrieving the requested object data from the location identified by the location identifier comprises: retrieving the requested object data from a local file system (column 7 lines 54-67).

13. In reference to claim 7, Waters teaches a method as recited in claim 4 wherein the retrieving the requested object data from the location identified by the location identifier comprises: retrieving the requested object data from a remote file system. (column 7 lines 54-67)

14. In reference to claim 8, Waters teaches a method as recited in claim 7 wherein the retrieving the requested object data from a remote file system comprises: accessing the remote file system via a peer-to-peer connection (column 7 lines 54-67).

15. In reference to claim 9, Waters teaches a method as recited in claim 7 wherein the retrieving the requested object data from a remote file system comprises: accessing the remote file system via a connection through a switchboard server (column 7 lines 54-67).

16. In reference to claims 10-15, claims 10-15 are computer readable medium claims that correspond to the method claims of claims 1-9. Therefore, claims 10-15 are rejected based upon the same rationale as the rejections of claims 1-9.

17. In reference to claim 16, Waters teaches a system for managing objects representing users in an instant messaging conversation, the system comprising:



a data object representing a user, the data object having an object name including a location identifier and a hash value (column 7 line 44 – column 8 line 30); and

an object store operable to retrieve the data object from a location identified by the location identifier and store the data object in a local cache based on the hash value (column 7 line 44 – column 8 line 30).

18. In reference to claim 17, Waters teaches a system as recited in claim 16 wherein the object name further comprises a creator identifier identifying a creator of the data object (column 7 lines 24-40).

19. In reference to claim 18, Waters teaches a system as recited in claim 16 further comprising a transport protocol stack enabling the object store to retrieve the data object from a remote storage location over a peer-to-peer connection (column 7 lines 54-67).

20. In reference to claim 19, Waters teaches a system as recited in claim 16 wherein the data object further comprise metadata descriptive of the data object (column 7 lines 24-35).

21. In reference to claim 20, Waters teaches a system as recited in claim 19 wherein the metadata comprises: a friendly name field; a type field indicating a type of data object; and a hash value based on the metadata (column 7 lines 24-35).

22. In reference to claim 21, Waters teaches a system as recited in claim 16 wherein the location identifier comprises a uniform resource locator (URL) (column 7 lines 24-35).

23. In reference to claim 22, Waters teaches a system as recited in claim 16 wherein the location identifier comprises a uniform resource identifier (URI) (column 7 lines 24-35).

### ***Conclusion***



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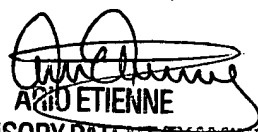
24. The above rejections are based upon the broadest reasonable interpretation of the claims. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the entirety of the reference (including any figures, incorporation by references, claims and priority documents) is implied as being applied to teach the scope of the claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RMO  
February 4, 2007

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
EBC CENTER 2157